

# SIDLEY AUSTIN BROWN & WOOD LLP

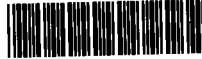
BEIJING  
BRUSSELS  
CHICAGO  
DALLAS  
GENEVA  
HONG KONG  
LONDON

BANK ONE PLAZA  
10 S. DEARBORN STREET  
CHICAGO, ILLINOIS 60603  
TELEPHONE 312 853 7000  
FACSIMILE 312 853 7036  
www.sidley.com  
FOUNDED 1866

LOS ANGELES  
NEW YORK  
SAN FRANCISCO  
SHANGHAI  
SINGAPORE  
TOKYO  
WASHINGTON, D.C.

WRITER'S DIRECT NUMBER  
(312) 853-2662

EPA Region 5 Records Ctr.



265510

WRITER'S E-MAIL ADDRESS  
abelawski@sidley.com

August 12, 2004

Thomas Krueger, Esq.  
Associate Regional Counsel  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Mr. Ross del Rosario  
Remedial Project Manager  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Re: Ellsworth Superfund Site, Downers Grove, Illinois  
Ames Supply Company RCRA Designation  
2537 Curtiss Street, Downers Grove, Illinois

Dear Mr. Krueger and Mr. Del Rosario:

As you may recall, we represent Ames Supply Company ("Ames") in the Ellsworth Superfund Site matter. The Phase II Site Assessment Report dated August 2002 by Weston states that Ames is a RCRA Large Quantity Generator. We are writing to inform you that this is not accurate. Ames is not a Large Quantity Generator, but rather a Conditionally Exempt Small Quantity Generator. We recently corrected this designation with Illinois EPA (see enclosed notice). Indeed, to our knowledge, Ames has never been a Large Quantity Generator either at its former facility (2537 Curtiss Street, Downers Grove) or its current facility (1936 University Lane, Lisle) which is similar in operation to the former facility. Rather, we believe that this designation was made in error by Illinois EPA or Ames some time in the 1980s. If EPA or Weston issues any additional reports, we ask that you correct this RCRA designation for Ames.

Thank you for your cooperation with this matter. Please call us if you have any questions.

Very truly yours,

Alan P. Bielawski

Enclosure

SIDLEY AUSTIN BROWN & WOOD LLP

BEIJING  
BRUSSELS  
CHICAGO  
DALLAS  
GENEVA  
HONG KONG  
LONDON

BANK ONE PLAZA  
10 S. DEARBORN STREET  
CHICAGO, ILLINOIS 60603  
TELEPHONE 312 853 7000  
FACSIMILE 312 853 7036  
www.sidley.com  
FOUNDED 1866

LOS ANGELES  
NEW YORK  
SAN FRANCISCO  
SHANGHAI  
SINGAPORE  
TOKYO  
WASHINGTON, D.C.

WRITER'S DIRECT NUMBER  
(312) 853-7182

WRITER'S E-MAIL ADDRESS  
blamer@sidley.com

June 18, 2004

**By Facsimile (217) 782-9290**

Ms. Donna Nicholson  
Illinois Environmental Protection Agency  
Bureau of Land  
1021 N. Grand Ave. East  
Springfield, IL 62702

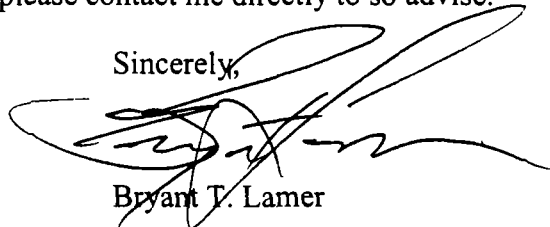
Re: Subsequent Notification/Form 8700-12 for Ames Supply Company  
("Ames")

Dear Ms. Nicholson:

Attached is Form 8700-12 RCRA Subtitle C Site Identification Form for Ames (ILD005163811) in Lisle, Illinois. Ames is submitting this document as a subsequent notification of regulated waste activity for the company. In particular, Ames intends to clarify that it is not a Large Quantity Generator, but is a Conditionally Exempt Small Quantity Generator.

Per your instructions, we are faxing this form. If you need an original signed copy, please contact me at the number above and we can provide that as well for your files. It is our understanding that the United States Environmental Protection Agency (USEPA) does not receive a copy of this notification. If this understanding is incorrect and Ames is required to provide similar notification to USEPA, please contact me directly to so advise.

Sincerely,



Bryant T. Lamer

cc: Bob Hildenbrandt (w/enclosures) (via US Mail)

<b>SEND COMPLETED FORM TO:</b> The Appropriate State or EPA Regional Office.	United States Environmental Protection Agency <b>RCRA SUBTITLE C SITE IDENTIFICATION FORM</b>	
<b>1. Reason for Submittal</b> (See instructions on page 13.)  MARK ALL BOX(ES) THAT APPLY	<b>Reason for Submittal:</b> <input type="checkbox"/> To provide Initial Notification of Regulated Waste Activity (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities) <input checked="" type="checkbox"/> To provide Subsequent Notification of Regulated Waste Activity (to update site identification information) <input type="checkbox"/> As a component of a First RCRA Hazardous Waste Part A Permit Application <input type="checkbox"/> As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment # _____) <input type="checkbox"/> As a component of the Hazardous Waste Report	
<b>2. Site EPA ID Number (page 14)</b>	<b>EPA ID Number</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">           I L D 0 0 5 1 6 3 8 1 1         </div>	
<b>3. Site Name (page 14)</b>	<b>Name:</b> Ames Supply Company	
<b>4. Site Location Information (page 14)</b>	<b>Street Address:</b> 1936 University Lane	
	<b>City, Town, or Village:</b> Lisle	<b>State:</b> Illinois
	<b>County Name:</b> DuPage	<b>Zip Code:</b> 60532
<b>5. Site Land Type (page 14)</b>	<b>Site Land Type:</b> <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
<b>6. North American Industry Classification System (NAICS) Code(s) for the Site (page 14)</b>	<b>A.</b> 444130	<b>B.</b> —
	<b>C.</b>	<b>D.</b>
<b>7. Site Mailing Address (page 15)</b>	<b>Street or P. O. Box:</b> 1936 University Lane	
	<b>City, Town, or Village:</b> Lisle	
	<b>State:</b> Illinois	
	<b>Country:</b> DuPage	<b>Zip Code:</b> 60532
<b>8. Site Contact Person (page 15)</b>	<b>First Name:</b> Robert	<b>MI:</b> C <b>Last Name:</b> Hildebrandt
	<b>Phone Number:</b> (630) 964-2440	<b>Extension:</b> 218 <b>Email address:</b> bobhilde@core.com
<b>9. Operator and Legal Owner of the Site (pages 15 and 16)</b>	<b>A. Name of Site's Operator:</b> Ames Supply Company	
	<b>Date Became Operator (mm/dd/yyyy):</b> 6/01/2001	
	<b>Operator Type:</b> <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other	
	<b>B. Name of Site's Legal Owner:</b> CD Diamond	
<b>Date Became Owner (mm/dd/yyyy):</b> 6/01/2001		<b>Owner Type:</b> <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other

**THIS PAGE INTENTIONALLY LEFT BLANK**

9. Legal Owner (Continued) Address	Street or P. O. Box: 22 W. 271 Glen Park Road	
	City, Town, or Village: Glen Ellyn	
	State: Illinois	
	Country: USA	Zip Code: 60137

## 10. Type of Regulated Waste Activity

Mark "Yes" or "No" for all activities; complete any additional boxes as instructed. (See instructions on pages 16 to 20.)

## A. Hazardous Waste Activities

Complete all parts for 1 through 6.

Y ☒ N ☐ 1. Generator of Hazardous Waste

If "Yes", choose only one of the following - a, b, or c.

☐ a. LQG: Greater than 1,000 kg/mo (2,200 lbs./mo.)  
of non-acute hazardous waste; or☐ b. SQG: 100 to 1,000 kg/mo (220 - 2,200 lbs./mo.)  
of non-acute hazardous waste; or☒ c. CESQG: Less than 100 kg/mo (220 lbs./mo.)  
of non-acute hazardous waste

In addition, indicate other generator activities.

Y ☐ N ☒ d. United States Importer of Hazardous WasteY ☐ N ☒ e. Mixed Waste (hazardous and radioactive) GeneratorY ☐ N ☒ 2. Transporter of Hazardous WasteY ☐ N ☒ 3. Treater, Storer, or Disposer of  
Hazardous Waste (at your site) Note:  
A hazardous waste permit is required for  
this activity.Y ☐ N ☒ 4. Recycler of Hazardous Waste (at your  
site)Y ☐ N ☒ 5. Exempt Boiler and/or Industrial  
Furnace

If "Yes", mark each that applies.

☐ a. Small Quantity On-site Burner  
Exemption☐ b. Smelting, Melting, and Refining  
Furnace ExemptionY ☐ N ☒ 6. Underground Injection Control

## B. Universal Waste Activities

Y ☐ N ☒ 1. Large Quantity Handler of Universal Waste (accumulate  
5,000 kg or more) [refer to your State regulations to  
determine what is regulated]. Indicate types of universal  
waste generated and/or accumulated at your site. If "Yes",  
mark all boxes that apply:

	Generate	Accumulate
a. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
b. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
c. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
d. Lamps	<input type="checkbox"/>	<input type="checkbox"/>
e. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
f. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
g. Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>

Y ☐ N ☒ 2. Destination Facility for Universal Waste

Note: A hazardous waste permit may be required for this activity.

## C. Used Oil Activities

Mark all boxes that apply.

Y ☐ N ☒ 1. Used Oil Transporter

If "Yes", mark each that applies.

☐ a. Transporter☐ b. Transfer FacilityY ☐ N ☒ 2. Used Oil Processor and/or Re-refiner

If "Yes", mark each that applies.

☐ a. Processor☐ b. Re-refinerY ☐ N ☒ 3. Off-Specification Used Oil BurnerY ☐ N ☒ 4. Used Oil Fuel Marketer

If "Yes", mark each that applies.

☐ a. Marketer Who Directs Shipment of  
Off-Specification Used Oil to  
Off-Specification Used Oil Burner☐ b. Marketer Who First Claims the  
Used Oil Meets the Specifications

**THIS PAGE INTENTIONALLY LEFT BLANK**

**11. Description of Hazardous Wastes (See instructions on page 20.)**

**A. Waste Codes for Federally Regulated Hazardous Wastes.** Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

D001

D001

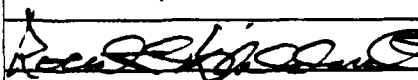
**B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes.** Please list the waste codes of the State-regulated hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed for waste codes.

**12. Comments (See instructions on page 20.)**

**13. Certification.** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (See instructions on page 20.)

Signature of operator, owner, or an authorized representative

Name and Official Title (type or print)

Date Signed  
(mm/dd/yyyy)

Robert C. Hildebrandt, President

06/14/2004